IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5209 OF 1999

Kolhapur Municipal Transport.] .. Petitioner

Versus

1. The State of Maharashtra & 3 ors.] .. Respondents

Mr. D.S. Sawant for the petitioner.

Mr. V.P. Malwankar, AGP, for respondents No.1 to 4.

CORAM: R.M. LODHA &
NARESH H. PATIL, JJ.

DATED: 21ST JULY, 2006

P.C. :

. *Inter alia,* the contention of the counsel for the petitioner is that Section 21 of the Bombay Motor Vehicles (Taxation of Passengers) Act, 1958 empowers the State Government to exempt the petitioner for payment of taxes. If that be so, in our view, the petitioner must make a proper application before the State Government for exemption of payment of taxes under Section 21 of the Act of 1958.

2. No case for invocation of extra ordinary jurisdiction is made out. Writ Petition is dismissed in

limine.

3. The concerned authority shall be free to recover the due amount from the petitioner unless the recovery thereof is exempted by the State Government under Section 21 of the Act of 1958.

Sd/-
[R.M. LODHA, J.]

Sd/-
[NARESH H. PATIL, J.]